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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CALVIN WRIGHT,

Petitioner,

v.

DON TAYLOR, Warden,

Respondent.

Civil No. 06cv2313-BEN (POR)

**ORDER GRANTING RESPONDENT'S
APPLICATION FOR ENLARGEMENT
OF TIME TO FILE AN ANSWER**

On October 16, 2006, Petitioner, a state prisoner proceeding *pro se*, filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. On July 9, 2007, the Court filed a Report and Recommendation denying Respondent's motion to dismiss. On September 14, 2007, District Judge Roger T. Benitez adopted the Report and Recommendation and directed Respondent to file an answer on or before October 22, 2007. On October 16, 2007, Respondent filed a motion for a 30 day enlargement of time to respond to the petition. In the request, Respondent's counsel represents this is her first request for an enlargement of time and that she is busy working on other cases. After a review of the request, the Court finds good cause to grant Respondent's request. Accordingly, **IT IS HEREBY ORDERED:**

1. Respondent shall file and serve an answer to the Petition or a motion to dismiss pursuant to Rule 5 of the Rules Governing § 2254 Cases no later than **November 27, 2007**. At the time the answer is filed, Respondent shall lodge with the Court all records bearing on the merits of Petitioner's claims. The lodgments shall be accompanied by a notice of lodgment which shall be

1 captioned "Notice of Lodgment in 28 U.S.C. § 2254 Habeas Corpus Case — To Be Sent to
2 Clerk's Office."

3 2. Petitioner may file a traverse to matters raised in the answer, or opposition to any
4 motion to dismiss, no later than **December 27, 2007**. Any traverse by Petitioner (a) shall state
5 whether Petitioner admits or denies each allegation of fact contained in the answer; (b) shall be
6 limited to facts or arguments responsive to matters raised in the answer; and (c) shall not raise new
7 grounds for relief that were not asserted in the Petition. Grounds for relief withheld until the
8 traverse will not be considered. No traverse shall exceed 10 pages in length absent advance leave of
9 Court for good cause shown.

10 3. Unless otherwise ordered by the Court, this case shall be deemed submitted on the
11 day following the date Petitioner's traverse is due.

12 || IT IS SO ORDERED.

14 || DATED: October 19, 2007

Louisa Porter
LOUISA S PORTER
United States Magistrate Judge